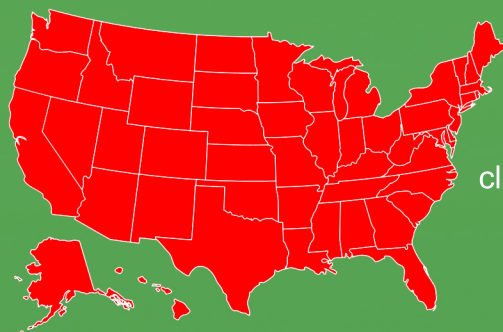


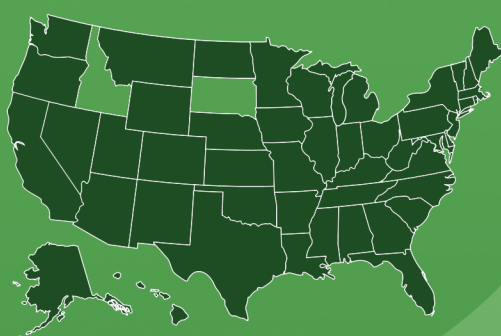
Medicinal Marijuana

Legality as of 2018

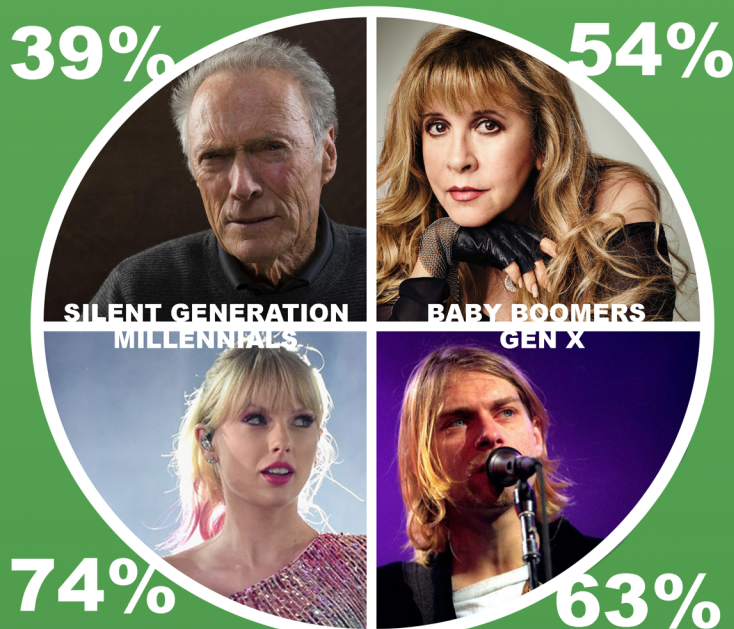


Under federal law, marijuana is classified as a Schedule I drug and is illegal for any purpose throughout the United States

State laws vary, but only two — Idaho and South Dakota — have not legalized marijuana use in some form. Only AK, CA, CO, MA, ME, MI, NV, OR, VT, WA, and D.C. have legalized recreational cannabis use



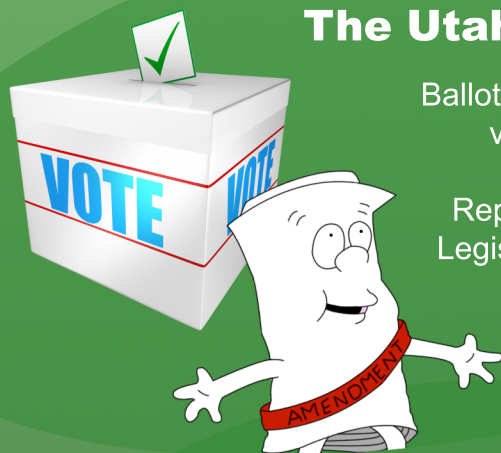
Support for Legalizing Marijuana by Generation



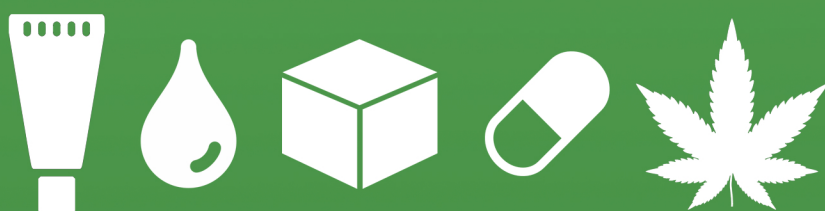
The Utah Medical Cannabis Act

Ballot Proposition 2 approved by voters November 2018

Replaced by HB3001 by the Legislature December 3, 2018



Dosage Forms

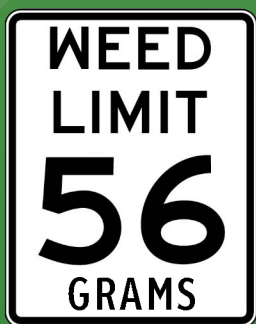


Only certain dosage forms, including tablets, capsules, concentrated oils, liquid suspension, topical preparation, transdermal preparation, gelatinous cubes, unprocessed cannabis flowers, and waxes or resins are legal under Utah law

Smoking and edibles such as candies, cookies, brownies, etc. are not permitted

Purchase Restrictions

In a 12-day period, someone living within 100 miles* of a cannabis pharmacy may purchase doses to last 14 days, 56 grams of unprocessed cannabis, or 10 grams of total composite THC



*Purchase restrictions are different for patients living over 100 miles from a cannabis pharmacy

Cannabis Cards

Medicinal marijuana may only be used by patients who have applied for and received a medical cannabis card through a qualified medical provider



Possession Restrictions

Medical cannabis cardholders may not possess more than:

- 113 grams of unprocessed cannabis
- An amount of cannabis product that contains 20 grams of total composite THC
- Marijuana drug paraphernalia



Cannabis Pharmacy Restrictions

- May only sell products in medicinal dosage form, medical cannabis devices, or educational materials
- Cannabis use on property is forbidden
- Must have secure entrance and security system
- May not advertise, but may include signage
- Cannot be within 600' of a residential community or community zoned location



Effects on State and Local Government Employees

- Employee use of medicinal marijuana will be treated the same as opioids, unless doing so jeopardizes federal funding, security clearance, or background determination required for the employee's position
- The state or local government must give an employee written notice stipulating conflict with federal laws before assigning duties to an employee relating to medical marijuana



Policies

Amend policies to address the requirements of the Act, drug testing, particular positions of concern, and working while impaired



Discrimination

Continue to follow your anti-discrimination policies already in place, treat cannabis cardholders the same as you would an employee using prescription opioids, and avoid asking questions about their cardholder status unless directly relevant to their job duties

Note that because of marijuana's federal classification, it is not protected under the ADA and is excluded from ADA claims



Resources

- health.utah.gov/medical-cannabis
- medicalcannabis@utah.gov

